

MONDAY, Aug. 11th, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr. Scott, chairman of the Committee on Public Lands, made the following report :

The Committee on Public Lands, to which was referred a bill to dispose of the public lands within the railroad reservation, have considered the same, and report a substitute therefor, recommending its adoption and the passage of the bill. The Committee are of opinion that the policy indicated by the bill is the most wise and beneficial of any that can be adopted for the encouragement of the construction of railroads in our State; and at the same time, by the system of reserving the even sections in said reserve, for the use of the State, and fixing a price for the same sufficiently high to produce a large sum of money by sale of the said lands, that the interest of the State would also be fully secured and advanced. The reservation of 16 sections of land to the mile, along the line of location of the railroads of the State, would be a powerful influence in favor of the rapid construction of the roads, thereby producing the means of transportation so much needed in Texas, and without which the advantages of her rich soil can never be fully availed, and without which her wide and extensive territory must for ever remain a wilderness, but with which every valley can be made to teem with the richest productions "and to thrive and blossom as the rose," and by the proper adherence to the policy, and husbanding carefully the money coming to the school fund, by the sale of the lands reserved for the use of the State. The Committee believe that a fund sufficiently large can be produced to educate all the rising generation, by use of the interest only, and the principal of said fund, as now proposed by law to be loaned to railroad companies to aid in the construction of railroads, will enable the companies to penetrate the forests as the settlements advance, and afford facilities for transportation to every important neighborhood as fast as the same is settled. This policy, then, if adopted, in the opinion of the Committee, would materially support and encourage both of these important interests, *Education* and *Internal Improvements*, which would encourage emigration and the introduction of wealth into the State, and greatly stimulate the energies of our own

citizens, and increase the wealth, knowledge, numbers, and happiness of the people of this State. For these considerations and the advantages merely hinted at, the Committee recommend the adoption of the policy contained in the substitute.

Mr. Taylor of Cass, chairman of the Committee on Public Debt, to which was referred the petition of L. J. Parker, reported the same back, and asked to be discharged from its further consideration.

Mr. Hill, chairman of the Committee on Claims and Accounts, made the following reports :

The Committee on Claims and Accounts have considered the petition of Hugh McLeod, asking pay for a horse lost in the service of the late Republic of Texas, in the war against the Cherokee Indians, in 1839, and have instructed me to report the accompanying bill for his relief, and recommend its passage.

A bill for the relief of Hugh McLeod—read 1st time.

The Committee on Claims and Accounts have considered the House bill for the relief of Eli Mitchell, and instruct me to report the same back, and recommend its passage.

The Committee on Claims and Accounts, to which was referred the petition of Felix Goff, and T. McKean, and the memorial of G. F. Longford, finding the evidence insufficient to sustain the claims, have directed me to report the same back to the Senate, and recommend that they be laid on the table.

A message was received from the House, informing the Senate, that the House had passed the following bills, originating in that body :

- A bill for the relief of Solomon Wideman ;
 - A bill for the relief of John Parsons ;
 - A bill making appropriation for defraying the expenses of the State Penitentiary ; and
 - A joint resolution making Corpus Christi a port of entry.
- Also, the following bills originating in the Senate :
- A bill for the relief of the heirs of Alfred Benton, dec'd.
 - A bill for the relief of Edgar M. Sanders ;
 - A bill to make valid certain surveys made in the county of Henderson ;
 - A bill for the relief of Elizabeth Tally ; and
 - A bill for the relief of John H. Rohers, with amendments.

Also, a House bill to amend the 9th section of an act concerning free persons of color, approved Feb. 5th, 1840.

Also, that the House had appointed Messrs. Charleton, Williams of Lamar, and Brown, a joint Committee on the Executive Communication for the relief of S. M. Swenson and Jno. M. Swisher.

Mr. Guinn, chairman of the Committee on Engrossed Bills, reported correctly engrossed :

A bill for the relief of the heirs of Nat. Smith ; and

A bill to amend an act to incorporate the Texas Western R. R. Company, approved Feb. 16th, 1852.

Mr. Allen, chairman of the Committee on Enrolled Bills, reported the following bills correctly enrolled, properly signed and presented to the Governor :

A bill supplemental to an act to incorporate the Aransas Road Company, approved Feb. 14th, 1852 ;

A bill for the relief of Rich. Alderson ;

A bill to incorporate the Austin City Bridge Company ;

A bill to incorporate the town of Woodville, in Tyler Co. ;

A bill to incorporate Hopkins encampment No. 7, of the I. O. O. F. ;

A bill to incorporate Gonzales Lodge No. 38, I. O. O. F. ;

A bill to incorporate the town of Wheelock, in the county of Robertson ;

A bill to provide an office for the Court of Claims ;

A bill to incorporate the Jamestown Academy ;

A joint resolution asking the establishment of a direct Mail route from Brownsville to Austin ;

A bill to incorporate Cartmel Lodge No. 39, I. O. O. F. ;

A bill to amend an act to incorporate the Dallas Bridge Company ;

A bill to locate permanently the county seat of Angelina county ;

A bill for the relief of Mary K. Sherman ;

A bill for the relief of Andrew Dougherty ;

A bill for the relief of Miles Bennett ;

A joint resolution relating to the late Navy of Texas ;

A bill to amend an act to incorporate the Brownsville and Rio Grande R. R. Company ;

A bill for the relief of the heirs of Sam'l. C. Stockbridge, the heirs of R. G. Dunlap, and the heirs of Carmel Manchaca ;

A bill to authorize the County Court of McLennan county to levy a special tax for two years ; and

A bill to incorporate the town of Anderson, in the county of Grimes.

On motion of Mr. Weatherford, Mr. Scarborough was excused from attendance upon the Senate, until Friday next.

Mr. McDade introduced a bill to authorize the Commissioner of Claims to employ an additional Clerk—read 1st time.

On motion of Mr. Taylor of Cass, the rule was suspended, and bill read a 2d time.

Mr. Guinn moved to fill the first blank in the bill, with "2,"—lost.

Mr. Taylor of Cass, moved to fill the blank with "one."

Mr. Flanagan moved to lay the bill and amendment upon the table—lost by the following vote:

YEAS—Messrs. Flanagan, Grimes, Millican, Taylor of Fannin, Truit, and White—7.

NAYS—Messrs. Allen, Armstrong, Bryan, Guinn, Hill, McCulloch, McDade, Martin, Maverick, Palmer, Pedigo, Pirkey, Potter, Scott, Superviele, Taylor of Cass, Taylor of Houston, and Weatherford—18.

The motion to fill the blank with "one," then prevailed.

On motion of Mr. Guinn, the bill was amended by making it read "at a salary of seventy-five dollars per month."

On motion of Mr. Palmer, the bill was further amended by adding after the word "month," the following, "who shall continue in office only so long as his services may be required."

The bill was then ordered to be engrossed, by the following vote:

YEAS—Messrs. Allen, Armstrong, Bryan, Burroughs, Grimes, Guinn, Hill, Lott, McCulloch, McDade, Maverick, Palmer, Pirkey, Potter, Superviele, Taylor of Cass, Taylor of Houston, Truit, Weatherford, and Whitaker—20.

NAYS—Messrs. Flanagan, Millican, Taylor of Fannin, and White—4.

On motion of Mr. Guinn, the rule was suspended, bill read a 3d time, and passed.

Mr. Bryan introduced a bill to permit Brazoria county to levy a special tax—read 1st time.

On motion of Mr. Bryan, the rule was suspended, bill read 2d time, and ordered to be engrossed.

On motion of Mr. Bryan, the rule was further suspended, bill read 3d time, and passed.

ORDERS OF THE DAY.

Mr. White moved a reconsideration of the vote adopting

the amendment offered by Mr. Taylor of Fannin, to the amendment offered by Mr. Weatherford to the bill to provide for the Mississippi and Pacific Railroad, approved Dec. 21, 1853, —carried, and the amendment to the amendment rejected.

The amendment offered by Mr. Weatherford was then adopted.

Mr. Potter moved to strike out "320 acres," wherever it occurs, and insert "160 acres,"—carried by the following vote:

YEAS—Messrs. Allen, Bryan, Caldwell, Guinn, Hill, McDade, Maverick, Millican, Palmer, Pirkey, Potter, Superviele, Taylor of Fannin, and Whitaker—14.

NAYS—Messrs. Armstrong, Burroughs, Flanagan, Grimes, Lott, McCulloch, Martin, Pedigo, Taylor of Cass, Taylor of Houston, Truit, Weatherford, White, and Wren—14.

There being a tie-vote, the President votes in the affirmative.

Mr. Burroughs offered the following amendment:

"Provided that nothing herein contained shall be so construed as to hold in reserve any lands lying east of the Colorado River. And the provisions of this act, and the act to which this is supplementary and amendatory of, shall not apply to any territory east of the Colorado River, but all the territory lying east of said river shall be, and the same is hereby declared open to location and settlement, under the same rule and regulations as other public domain."

Mr. Potter moved to strike out "Colorado," and insert "Pecos,"—lost.

The amendment offered by Mr. Burroughs was then adopted by the following vote:

YEAS—Messrs. Allen, Armstrong, Burroughs, Caldwell, Grimes, Hill, Hord, Lott, McDade, Martin, Maverick, Millican, Palmer, Pedigo, Potter, Superviele, Taylor of Cass, Taylor of Houston, Truit, Weatherford, White, and Wren—22.

NAYS—Messrs. Bryan, Flanagan, Guinn, McCulloch, Pirkey, Scott, and Whitaker—7.

On motion of Mr. McCulloch, the bill was amended by inserting in the 3d section, 2d line, after the word "reservation" and before the word "after," "as reserved in the first section, and as opened to location or settlement in the second section of this act."

Mr. Bryan moved to amend by striking out "50 cents," wherever it occurs in the bill, and inserting "\$1."

Mr. Flanagan moved to lay the motion on the table—lost by the following vote :

YEAS—Messrs. Allen, Armstrong, Burroughs, Flanagan, Grimes, Lott, McCulloch, Martin, Pedigo, Taylor of Cass, Taylor of Houston, Truit, Weatherford, and Wren—14

NAYS—Messrs. Bryan, Caldwell, Guinn, Hill, Hord, McDade, Maverick, Millican, Palmer, Pirkey, Potter, Superviele, Taylor of Fannin, Whitaker, and White—16.

The amendment was then adopted by the following vote :

YEAS—Messrs. Bryan, Caldwell, Guinn, Hill, Hord, McDade, Maverick, Millican, Palmer, Pirkey, Potter, Superviele, Taylor of Fannin, Whitaker, and White—15.

NAYS—Messrs. Allen, Armstrong, Burroughs, Flanagan, Grimes, Lott, McCulloch, Martin, Taylor of Cass, Taylor of Houston, Truit, Weatherford, and Wren—13.

On motion of Mr. Scott, the bill was amended, by striking out "1st Oct., 1856," and inserting "Jan. 1st, 1857," in lieu thereof.

Mr. Palmer offered a bill amendatory of, and supplemental to an act to provide for the construction of the Mississippi and Pacific Railroad, approved Dec. 21st, 1853, as a substitute for the bill.

On motion of Mr. Whitaker, the Senate adjourned till tomorrow morning, at 8 o'clock.

TUESDAY, Aug. 12th, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the Chaplain—roll called, quorum present.

The journal of yesterday was read and adopted.

Mr. Whitaker, chairman of the Committee on Private Land Claims No. 2, made the following report :

The Committee on Private Land Claims No. 2, to which was referred the House bills for the relief of James Morrison, James W. Taylor, and Swen Bergstrom, have examined the same. The evidence, in respect to the first two, is sufficient to warrant the granting of the relief sought. In regard to the last bill, the Committee have been forced to rely on the statement of the chairman (Cleveland) of the House Committee No. 2 on Private Land Claims, as to the facts, which he affirms, from his own knowledge, to be as stated. I am there-